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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 2025/2017

JITENDER @ JEETU

..... Petitioner

Through: Mr.Tarun Khanna, Advocate.

versus

STATE (GNCT OF DELHI)

..... Respondent

Through: Mr.Rahul Mehra, Standing Counsel for
State with Mr.Jamal Akhtar, Advocate along with
SI Davender, PS Crime Branch, Delhi.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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14.09.2017

1. The petitioner has invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 Code of Criminal Procedure, 1973 to release him on Furlough on furnishing cash surety of Rs.10,000/-.
2. Status report has been filed. Nominal roll has also been received.
3. Mr. Mehra, learned standing counsel submits that the statement of the mother and daughter of the petitioner, who are residing at the same house, where the petitioner intend to reside in case he is released on Furlough, have been recorded separately on 05.09.2017 and neither of them is willing to stand surety for the petitioner.

4. Mr. Khanna, learned counsel for the petitioner, points out that vide order dated 03.03.2017, the petitioner was allowed to be released on Furlough on his furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Superintendent, Central Jail No. 13, Mandoli, Delhi. This order was modified on 27.04.2017 and he was directed to be released on Furlough by the competent authority on furnishing Personal Bond and cash surety of Rs.10,000/-. This order was further modified on 30.05.2017 by which he was ordered to be released by the competent authority on furnishing Personal Bond of Rs.25,000/- with one surety in the like amount to the satisfaction of Superintendent, Central Jail No. 13, Mandoli, Delhi.
5. The representation of the petitioner to modify the order dated 30.05.2017 was rejected by impugned order dated 27.06.2017.
6. The contention of the petitioner that he be released on cash surety cannot be accepted since his family members i.e. wife and daughter are not willing to stand surety for him. Further, the learned standing counsel also points out that co-convict Sandeep had jumped the Parole granted by this court.
7. In the facts and circumstances of the case, the order dated 30.05.2017 is modified to the extent that the Petitioner be released on Furlough on furnishing Personal Bond by him in the sum of Rs.5,000/- with one surety in the like amount to the satisfaction of the Superintendent, Central Jail No. 13, Mandoli, Delhi.
8. The petition is disposed of accordingly.
9. Copy of this order be sent to the Jail Superintendent for compliance.

10. Copy of this order be given *dasti*.

SEPTEMBER 14, 2017
"shailendra"

VINOD GOEL, J.